

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U902E) for Approval of its Electric Vehicle-Grid Integration Pilot Program.	Application 14-04-014 (Filed April 11, 2014)
Order Instituting Rulemaking to Consider Alternative-Fueled Vehicle Programs, Tariffs, and Policies.	Rulemaking 13-11-007 (Filed November 14, 2013) CONSOLIDATED FOR PURPOSES OF THIS DECISION

**DECISION GRANTING COMPENSATION TO THE NATURAL RESOURCES
DEFENSE COUNCIL FOR CONTRIBUTION TO DECISIONS 14-12-079 AND 16-01-045**

Intervenor: Natural Resources Defense Council	For contribution to Decision (D.) 14-12-079 and D.16-01-045
Claimed: \$66,861	Awarded: \$66,861.25
Assigned Commissioner: Carla J. Peterman	Assigned ALJ: John S. Wong

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	<p>D.14-12-079 set aside the requirement that the utilities demonstrate a “market failure” or “underserved market” as part of any request for authority to own PEV charging infrastructure. This change was designed to allow for consideration of utility requests on a case-specific basis. In doing so, the Commission clarified the elements it will examine, at a minimum, in determining whether utility entrance into a competitive market with non-utility participants should be allowed.</p> <p>D.16-01-045 adopted a modified, alternative version of the Settlement Agreement entered into by San Diego Gas & Electric (SDG&E) and multiple parties with regard to SDG&E’s VGI proposal seeking authorization to establish and implement a pilot program to integrate the charging of plug-in electric vehicles with the electric grid through the use of an hourly time-variant rate. The VGI rate would incentivize electric vehicle (EV) owners in SDG&E’s service territory to use energy during non-peak periods to charge their EVs, and to maximize the use of the energy generated from renewable sources of energy during the time of day when these resources are</p>
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	<p>at peak production, which are usually at non-peak periods of energy demand. Under the proposed Settlement Agreement, SDG&E would have deployed 550 EV site installations, and 5,500 EV charging stations, over a sign-up period of five years. D. 16-01-045 rejects the Settlement Agreement and provides an alternative, referred to as the 2016 VGI Pilot Program, which preserves many important elements of the Settlement Agreement, but is a scaled down version. The 2016 VGI Pilot Program will have a budget of \$45 million during the initial roll-out instead of \$65 million, and will allow SDG&E to deploy and own approximately 350 EV site installations, or approximately 3,500 EV charging stations, during a sign-up period of approximately three years. Long term operations and maintenance costs are to be tracked in a separate memorandum account, and offset by participation payments. SDG&E is authorized to seek cost recovery for its future operations and maintenance expenditures in its future general rate case proceedings.</p>
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	April 13, 2014	August 13, 2014
2. Other specified date for NOI:	n/a	
3. Date NOI filed:	March 27, 2014 (NRDC also filed a second NOI, which was deemed moot as noted immediately below)	Verified
4. Was the NOI timely filed? From ALJ Moosen's ruling of March 25, 2015: "Natural Resources Defense Council has filed its timely NOI on March 27, 2014, in Rulemaking (R.) 13-11-007. On July 29, 2014, in a Ruling on the NOI, the assigned Administrative Law Judge found that NRDC is eligible to claim intervenor compensation. On September 29, 2014, the Joint Assigned Commissioner and Administrative Law Judge's Scoping Memo and Consolidation Ruling consolidated R.13-11-007 with A.14-04-014. According to Rule 17.2 of the Commission Rules of Practice and Procedure, a party found eligible for an award of compensation in one phase of a proceeding remains eligible in later phases in the same proceeding. As a result of the proceeding consolidation, NRDC's NOI filed on February 20, 2015 has become		Yes

unnecessary.”		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	R.14-07-002	Verified
6. Date of ALJ ruling:	December 18, 2014	Verified
7. Based on another CPUC determination (specify):	n/a	
8. Has the Intervenor demonstrated customer or customer-related status?		Yes
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	R.14-07-002	Verified
10. Date of ALJ ruling:	December 18, 2014	Verified
11. Based on another CPUC determination (specify):	n/a	
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D. 16-01-045	Verified
14. Date of issuance of Final Order or Decision:	February 4, 2016	Verified
15. File date of compensation request:	April 4, 2016. Amended request filed on January 27, 2017 (in open proceeding).	Verified
16. Was the request for compensation timely?		Yes

PART II: SUBSTANTIAL CONTRIBUTION**A. Did the Intervenor substantially contribute to the final decision (see § 1802(i), § 1803(a), and D.98-04-059).**

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p><i>(A) General Issues</i></p> <p>NRDC engaged on all issues involved in this application, both in the formal proceedings and in the settlement negotiations that led to the final adopted decision. While it would violate CPUC Rule 12 governing settlements to disclose all of the specific contributions NRDC made to the final</p>	<ul style="list-style-type: none"> D.16-01-045: “In addition to SDG&E, the other settling parties to the Proposed Settlement are the following: Alliance of Automobile Manufacturers; American Honda Motor Company, Inc.; California Coalition of Utility Employees; CALSTART; Center for Sustainable Energy; ChargePoint; EDF; General Motors LLC; GPI; KnGrid; NRDC; NRG EV Services LLC; PIA; Sierra Club; Smart Grid Services, Siemens; and The Greenlining Institute.” As evidence of our leadership of a broad coalition in this proceeding see Attachment 	Verified

<p>settlement agreement, those contributions were numerous. Throughout the settlement process, NRDC led a coalition comprised of the Greenlining Institute, Sierra Club, Environmental Defense Fund, Plug In America, the Coalition of California Utility Employees, Honda Motor Company, General Motors, and the Alliance of Automobile Manufacturers. NRDC's leadership and coordination of this broad and diverse coalition streamlined the settlement negotiation process and facilitated a near all-party settlement because the coalition negotiated as a block, providing collective, consensus-based demands and unified edits to settlement documents.</p>	<p><i>2, Response of Public Interest, Automaker, and Labor Groups to Motions to Consolidate Proceedings</i>, filed by NRDC on April 27, 2015.</p>	
<p><i>(B) Utility role in transportation electrification investments and charging infrastructure ownership</i></p> <p>Throughout the course of this proceeding, NRDC has been a constant voice in support of an increased role for utility activity to accelerate transportation and for the evaluation of utility proposals on a case-specific basis. NRDC argued that the Commission's previous requirement of a demonstration of a</p>	<ul style="list-style-type: none"> • <i>NRDC Comments</i>, August 29, 2014: "The Commission should consider an increased role for utilities in PEV infrastructure deployment for the reasons detailed in Section II. The role of the utilities should be to accelerate efficient transportation electrification that minimizes adverse impacts to the electrical grid and maximizes benefits to the body of utility customers, as well as facilitating progress toward other clean energy goals adopted by both the Commission and the state of California. NRDC recommends the Commission avoid attempting to define abstract concepts such as "market failures" or to consider the question of utility ownership in a theoretical sense. Whether or not they include utility ownership of charging infrastructure or 	<p>Verified</p>

<p>“market failure” was counter-productive, and should be replaced with an evaluation of the specific merits of specific proposals. D. 14-12-079 adopted NRDC’s recommended approach, setting aside the blanket prohibition on utility ownership, allowing for a case-by-case evaluation of the merits of individual utility applications.</p> <p>On behalf of the Alliance of Automobile Manufacturers, the Coalition of California Utility Employees, the Environmental Defense Fund, General Motors, Honda Motor Company, The Greenlining Institute, Plug-in America, and the Sierra Club, NRDC also filed a response to a motion that would have reversed D. 14-12-079’s consideration of individual utility applications on their individual merits and would have imposed a single pilot across all three IOU service territories. In line with the coalition’s recommendation, the Commission denied that motion.</p>	<p>attempt to serve what could be described as “underserved markets,” specific proposals should be evaluated based on the value they provide to the electrical grid and the body of utility customers, and their potential to accelerate the efficient electrification of the transportation sector in line with meeting the goals adopted by the Commission in D. 11-07-029, by the legislature in Public Utilities Code § 740.2, and by the governor in Executive Order B-16-2012.”</p> <ul style="list-style-type: none"> • D. 14-12-079, p. 5: “...we decline to prescriptively determine the appropriate level of utility activity at this time. Instead, we will evaluate utility proposals on a case-specific basis.” • D. 14-12-079, p. 2: “Today’s decision sets aside the requirement that the utilities demonstrate a “market failure” or “underserved market” as part of any request for authority to own PEV charging infrastructure. This change is designed to allow for consideration of utility requests on a case-specific basis” • See Attachment 2, <i>Response of Public Interest, Automaker, and Labor Groups to Motions to Consolidate Proceedings</i>, filed by NRDC on April 27, 2015, p. 3: “In sum, the Joint Motion should be denied because it attempts to re-litigate questions that have already been resolved by the Commission, is procedurally defective, and would only result in further delay. The formal process the Commission has put in place to evaluate the individual merits of specific utility applications with different attributes is the proper forum to continue to address the issues at hand.” • See <i>Joint Assigned Commissioner and Administrative Law Judges’ Ruling on Three Motions</i>, May 28, 2015: “The denial of both of these motions is based on D.14-12-079. It is clear that the Commission in D.14-12-079 decided to examine ‘utility requests on a case-specific basis.’” 	
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<p><i>(B) Increasing access in disadvantaged communities</i></p> <p>On behalf of the five steering committee members of Charge Ahead California Campaign (NRDC, The Greenlining Institute, Environment California, Communities for a Better Environment, and the Coalition for Clean Air), which sponsored the Charge Ahead California Initiative (Senate Bill 1275, De León, 2014), NRDC ensured the importance of increasing access to EVs in disadvantaged communities identified pursuant to the Senate Bill 535 (De León, 2013) and furthering and complementing the goals of Senate Bill 1275 were recognized in this proceeding. Likewise, we also recommended extensive education and outreach, especially in disadvantaged communities.</p> <p>In both the formal proceedings and in confidential settlement negotiations, we argued for and secured the settlement provisions adopted by D.16-01-045 described in the next column.</p>	<ul style="list-style-type: none"> • <i>NRDC Opening Testimony</i>, March 16, 2015, p. 2: “Comprehensive transportation electrification required to meet long-term air quality standard and greenhouse gas emission reduction targets will require significant PEV adoption in communities of color, which represent the fastest growing consumer segment in California.” • <i>NRDC Rebuttal Testimony</i>, April 13, 2015: “Accordingly, NRDC recommends SDG&E adopt a goal of deploying at least 10 percent of charging stations in disadvantaged communities identified by CalEPA’s EnviroScreen 2.0. In the spirit of SB 535 (De León, 2011), from which this metric is derived, SDG&E should treat this goal as a floor, not a ceiling. The California Environmental Protection Agency’s CalEnviroScreen 2.0 is a science-based tool that identifies the California communities most impacted by pollution and most vulnerable to its effects. The tool uses data on 12 types of pollution and environmental factors and seven population characteristics and socioeconomic factors to create scores for each of the state’s 8,000 census tracts. Identifying these disadvantaged communities (which are disproportionately communities of color) allows for a more effective distribution of limited state resources to polluted and socioeconomically-burdened areas. Disadvantaged communities make up 25 percent of California’s population and are essential to meeting California’s zero emission vehicle goals.” • <i>NRDC Rebuttal Testimony</i>, April 13, 2015: “However, lack of consumer awareness with respect to electric drive technology has hindered PEV adoption in communities of color to-date. SDG&E should incorporate education and outreach in multiple languages, engage ethnic media outlets, and partner with community and faith-based organizations to help move the PEV market beyond the early-adopter segment.” • D.16-01045, VGI Pilot Guiding Principle 5: “Must provide equitable deployment of 	<p>Verified</p>
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	<p>services to all ratepayers, including statutory requirements and directives to serve disadvantaged communities and increase access to clean transportation.”</p> <ul style="list-style-type: none"> • D.16-01045, VGI Pilot Guiding Principle 13: “13. Must complement other utility clean energy programs and other non-utility programs, such as those being implemented pursuant to the Charge Ahead California Initiative (Stats. 2014, Ch. 530), which will build consumer demand for clean energy and zero emission vehicles.” • D. 16-01-045: “The 2016 VGI Pilot Program will be included within SDG&E’s companywide Diversified Business Enterprise goal of 40%. (See SDG&E prepared testimony, Ex. SDG&E-2, pages RS-8, 9 and RS-19). The RFP and contract will contain a DBE subcontracting plan, which requires the bidder/contractor to list its expected annual DBE spend and list any subcontractors it plans to use to achieve its DBE goal. Bidders will be requested to provide proposals in support of SDG&E’s 40% goal.” (VGI Pilot Terms, p. 8) • D. 16-01-045: At least 10% of VGI facilities will be installed in Disadvantaged Communities identified pursuant to SB535. (VGI Pilot Terms, p. 8) • D. 16-01-045: “SDG&E will complement and coordinate with federal, state and locally funded programs, such as those being developed by the Air Resources Board pursuant to SB 1275, that are expected to grow the demand for EVs in Disadvantaged Communities (e.g., EV car-sharing services), and Commission authorized programs that target low income customers and limited English proficiency customers.” (VGI Pilot Terms, p. 8) • D. 16-01-045: “All contractors shall have hiring goals to support opportunities to increase hiring from Disadvantaged Communities, including first-source hiring and targeted-hiring goals for projects in Disadvantaged Communities. The PAC will also monitor and provide recommendations, including specific numerical targets for 	
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	<p>meeting hiring targets, to contractors or subcontractors associated with the increase of hiring from Disadvantaged Communities, including best practices for hiring in Disadvantaged Communities.” (VGI Pilot Terms, p. 9)</p> <ul style="list-style-type: none"> • D. 16-01-045: “SDG&E will solicit the participation of a broad and diverse stakeholder advisory group (the “VGI Program Advisory Council” or “PAC”) in planning and implementing the VGI Program following its approval by the Commission. The VGI PAC will include representatives from local and state government (including representation from the Energy Division), industry, labor and other stakeholder participants, ratepayer and environmental advocates, and representatives of Disadvantaged Communities.” (VGI Pilot Terms, p. 9) 	
<p><i>(C) Load Management and Fuel Cost Savings</i></p> <p>In almost every one of the 16 substantive filings and written testimony documents filed or served in this proceeding, NRDC has consistently called for the use of vehicle grid integration and appropriate price signals to both support the integration of variable renewable generation, improve the operation of the grid, and to maximize fuel cost savings for EV drivers who charge in a manner that is consistent with grid conditions.</p>	<ul style="list-style-type: none"> • <i>NRDC Rebuttal Testimony</i>, April 13, 2015, p. 1-2: “SDG&E’s ‘Vehicle Grid Integration’ proposal has several distinctive qualities that deserve to be tested in the field. The advanced demand response functionality of SDG&E’s application is unique in its potential to immediately facilitate the integration of variable renewable resources. The California Independent System Operator’s infamous ‘Duck’ has already landed; over the past few months, solar energy has driven a new load shape, especially on weekend days, with lowest ‘net’ load occurring around 1:00 PM. Only SDG&E’s proposal is designed to immediately cope with this new reality, leveraging the growing customer sunk investment in PEV batteries to help meet the dynamic and evolving needs of California’s electric grid.” • <i>NRDC Rebuttal Testimony</i>, April 13, 2015, p. 3-4: “Paying between \$5 and \$11 per gallon equivalent is perhaps even more problematic. A survey of over 16,000 California PEV drivers reveals that “Saving Money on Fuel Costs” is the single most important decision factor driving PEV purchases. The widespread transportation electrification California needs in order to 	Verified

	<p>meet climate and clean air goals will not occur if those savings are not realized. The cost-effectiveness of a decision to buy a PEV with a higher incremental purchase price hinges upon fuel savings, which can be maximized by charging during off-peak periods on time-variant rates. Charging my Volt on during off-peak hours on PG&E's time-of-use EV rate is equivalent fueling it up on \$1.27 per gallon gasoline. Time-variant electricity rates are also a foundational tool to ensure PEV load becomes an asset and not a liability to the electric grid. At the five ChargePoint locations in San Diego listed in Table 1, the electricity price itself is hidden, and no attempt is made to vary prices by time to reflect grid conditions. It is possible that requiring site-hosts to take service on time-variant rates, as SCE proposes, could prove sufficient to manage PEV load, but the Commission should not disavow the use of direct price signals at this point."</p> <ul style="list-style-type: none"> • <i>Brief of Public Interest, Automaker, And Labor Groups on Proposed Vehicle-Grid Integration Settlement Agreement</i>, filed by NRDC on September 4, 2015: "Workplace charging is also essential to allow the Commission to leverage the growing customer investment in PEVs to support the integration of variable renewable generation. The California Independent System Operator's infamous "Duck" has already landed; last winter and spring, solar energy drove a new load shape, especially on weekend days, with lowest "net" load occurring around 1:00 PM. Meanwhile, California PEV drivers have already purchased batteries that collectively represent more than 3.5 gigawatt-hours of advanced chemical energy storage that could be used to address this new load shape by absorbing peak solar generation and using it to displace gasoline. The Commission should take advantage of that sunk-investment to benefit all utility customers. SDG&E's proposed deployment of charging infrastructure at workplaces will ensure PEVs are available to serve this purpose. Combining both workplace and 	
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	<p>residential charging will provide maximum availability to help cost-effectively meet Governor Brown’s goal of procuring half the state’s electricity from renewable resources by 2030. Workplace and home charging are needed to make this possible; PEVs that are not connected to the grid cannot support the grid.”</p> <ul style="list-style-type: none"> • D.16-01-045, VGI Pilot Guiding Principle 4: “Must provide electric vehicle (EV) drivers the opportunity to maximize fuel cost savings relative to conventional transportation fuels.” • D.16-01-045: “Finding of Fact 17. SDG&E’s day-ahead hourly VGI rates will correspond with the expected changing hourly price of electricity and will be designed to encourage EV charging at times of the day that will minimize incremental peak loads on the electrical distribution system, integrate high levels of renewable energy use, and avoid charging on system peaks.” • D.16-01-045, VGI Pilot Terms Appendix B: Research Plan will include: <ul style="list-style-type: none"> ○ “Under the VGI Rate-to-Host, load management plans and pricing or fees, including those measures taken that encourage the facilitation of the integration of renewable energy ○ Estimates of fuel cost savings through the use of the VGI Facility, under both the VGI Rate-to-Driver and VGI Rate-to-Host pricing plans” 	
<p><i>(D) The Importance of Both Workplaces and Multi-Unit Dwellings</i></p> <p>In rebuttal testimony and in hearings, and subsequent filings, NRDC provided extensive evidence to support deployment in both multi-unit dwellings and workplaces, supported by</p>	<ul style="list-style-type: none"> • See NRDC Rebuttal Testimony, April 13, 2015, p. 4-8. • See Brief of Public Interest, Automaker, And Labor Groups on Proposed Vehicle-Grid Integration Settlement Agreement, filed by NRDC on September 4, 2015, p. 2-8. • Both the settlement agreement and D.16-01-045 retained the focus on both workplaces and multi-unit dwellings. (Settlement Agreement, p. 4) 	<p>Verified, see page 12 of D. 16-01-045 and Attachment 2, Page 4 of D. 16-01-045</p>

<p>the consensus of state and national experts. Other parties opposed the deployment of charging stations at workplaces.</p>		
<p><i>(E) Interpretation of SB 350 and relevant PU Code</i></p> <p>Throughout the proceeding, after the passage of SB 350, which included extensive amendments to the PU Code regarding Transportation Electrification, NRDC, on behalf of a larger coalition, provided recommendations on the applicability and the proper interpretation of those code sections. For example, <i>See Reply Comments of Public Interest, Automaker, and Labor Groups on Proposed Decision</i>, filed January 19, 2016.</p>	<ul style="list-style-type: none"> • <i>See Comments of Public Interest, Automaker, And Labor Groups On Proposed Decision Of Administrative Law Judge Wong</i>, filed by NRDC on January 19, 2016, p. 13. • <i>See Reply Comments of Public Interest, Automaker, and Labor Groups on Proposed Decision</i>, filed by NRDC on January 19, 2016, p. 3-5. • While the original proposed decision did not interpret the definition of the ratepayer interest as defined by PU Code 740.8, as amended by SB 350, in a manner that is consistent with the statutory directive, the final adoption decision contained modifications that comport with the statutory standard of review. D.16-01-045, p. 114-115: “As a result of the VGI program, all customers, including the EV charging customer or the site host is, are likely to receive “less costly” electrical service if the EV owner charges during the off-peak periods as determined by SDG&E’s VGI rate, and the VGI rate is integrated into the grid which takes into account the conditions on the grid and the availability of renewable sources of energy during off-peak periods. As some of the witnesses testified, the VGI program can reduce costs by eliminating or reducing the need for additional generating capacity to meet the growth in EV charging demand.³⁰ In addition, the VGI service meets the “safer,” “more reliable,” and “less costly” interests of ratepayers in Public Utilities Code Section 740.8(a) because: (1) all of the construction and installation of the EV charging infrastructure will be performed safely, and to code, by licensed electrical contractors with EV infrastructure training certification; and (2) the VGI service will be 	<p>Verified, see Pages 114-115 of D. 16-01-045.</p>

	<p>a “more reliable” and “less costly” service because it will match EV charging demand to electricity supply, including integrating variable renewable sources of energy. (P.111)</p> <p>Consistent with Public Utilities Code Section 740.8, 740.8(b), the other direct benefits of the VGI program that accrue to all ratepayers are the following: (1) it could promote accelerated adoption of EVs which will promote the efficiency of travel; (2) it could reduce the health and environmental impacts from air pollution because less fossil-based transportation fuels will be utilized; (3) the deployment of more EVs could reduce the amount of GHG emissions; (4) integrating the charging of EVs with the VGI rate, would incentivize consumption during peak periods of renewable energy generation, which could maximize the use of renewable and alternative fuels to power vehicles; and (5) an integrated VGI program, could eliminate or lessen the need to build more electric generation assets to meet growing EV charging load.</p> <p>Therefore, under the ratepayers’ interests test, as set forth in Public Utilities Code Sections 740.3(c) and 740.8, the VGI program would be in the ratepayers’ interest.</p>	
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor’s Assertion	CPUC Discussion
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified
c. If so, provide name of other parties: As noted above, NRDC led a coalition comprised of the Greenlining Institute, Sierra Club, Environmental Defense Fund, Plug In America, the Coalition of California Utility Employees, Honda Motor Company, General Motors, and the Alliance of Automobile Manufacturers. Given the broad and diverse nature of this coalition, there were substantial differences in positions with respect to many program design elements, however, we remained unified around the principle that the Commission should test different models to accelerate transportation electrification to meet		Verified

<p>California’s air quality, equity, and climate goals, to support the electric grid, and provide consumers with a cleaner, cheaper alternative to petroleum based fuels. (See Attachment 2: <i>Response of Public Interest, Automaker, and Labor Groups to Motions to Consolidate Proceedings</i>, filed by NRDC on April 27, 2015)</p>	
<p>d. Intervenor’s claim of non-duplication:</p> <p>NRDC’s advocacy was not duplicative as NRDC coordinated and led a coalition comprised of the Greenlining Institute, Sierra Club, Environmental Defense Fund, Plug In America, the Coalition of California Utility Employees, Honda Motor Company, General Motors, and the Alliance of Automobile Manufacturers. NRDC’s leadership and coordination of this broad and diverse coalition streamlined the settlement negotiation process and facilitated a near all-party settlement because the coalition negotiated as a block, providing collective, consensus-based demands and unified edits to settlement documents. While numerous parties will be claiming for this effort, each party held a unique view and contributed important substantive positions, discussions, etc. There should be no duplication on behalf of NRDC with these other parties.</p> <p>NRDC hosted several of the key settlement negotiations at our office in San Francisco. All meetings and calls with other parties were focused on resolving key issues ahead of time and were kept as brief as possible. In addition, the hours claimed by NRDC are extremely conservative as it takes a substantial amount of time to work with multiple parties (who traditionally do not work together) to resolve issues in order to arrive at one cohesive substantive position and develop documents that all parties could be comfortable with presenting on or submitting.</p> <p>NRDC also shared summaries of key issues at hand, discussed initial responses, and resolved as many issues as possible with other parties before submitting documents to the PUC or to the other settling parties.</p>	<p>Verified</p>

PART III: REASONABLENESS OF REQUESTED COMPENSATION

A. General Claim of Reasonableness (§ 1801 and § 1806):

<p>a. Intervenor’s claim of cost reasonableness:</p> <p>Since the Commission initiated its “Order Instituting Rulemaking on the Commission’s own motion to consider alternative-fueled vehicle tariffs, infrastructure and policies to support California’s greenhouse gas emissions reduction goals” in 2009, NRDC has been consistently the most engaged public interest group on issues related to transportation electrification at the Commission.</p> <p>As noted in NRDC’s opening testimony, widespread transportation electrification could lower the cost of electricity in SDG&E service territory by 20 percent.</p> <p>NRDC was actively engaged in every aspect of the Commission’s R.13-11-007, before and after it was consolidated with A.14-04-014. NRDC was also uniquely active in leading a broad and diverse coalition in parallel settlement negotiations, helping to make a near all-party settlement possible. This claim is modest relative to the substantial contributions NRDC made to the application, the proceeding, the settlement agreement, and D. 16-01-045.</p>	<p>CPUC Discussion</p> <hr/> <p>Verified</p>
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<p>b. Reasonableness of hours claimed:</p> <p>Many, if not most, of the hours required to build consensus positions within the large and diverse coalition led and coordinated by NRDC, which required multiple coalition meetings and calls, as well as numerous bilateral conversations, are not claimed here.</p> <p>In addition, no time is claimed for internal consultation with NRDC's broad and experienced team of utility energy and transportation policy experts, many members of which provided advice and insight into the policy recommendations and negotiating positions taken by Max Baumhefner, the only practitioner for whom hours are claimed in this document.</p> <p>The amounts claimed are further conservative for the following reasons: (1) No time is claimed for internal coordination, only for substantive policy development; (2) we do not claim time for substantive review by NRDC staff even though their expertise was critical to ensuring productive recommendations; and (3) we claim no time for travel or any other related fees nor do we claim time for internal review of the intervenor compensation claim.</p> <p>In addition, the rates requested by NRDC are purposefully conservative and low on the ranges approved by the Commission, even though Mr. Baumhefner's expertise and experience would justify higher rates. NRDC maintained detailed time records indicating the number of hours that were devoted to proceeding activities. All hours represent substantive work related to this proceeding.</p> <p>In sum, NRDC made numerous and significant contributions on behalf of environmental and customer interests, all of which required research and analysis. NRDC took every effort to coordinate with other stakeholders to reduce duplication and increase the overall efficiency of the proceeding. Since NRDC's work was efficient, hours extremely conservative, and billing rates low, NRDC's request for compensation should be granted in full.</p>	Verified
<p>c. Allocation of hours by issue:</p> <p>Note: Hours related to confidential settlement negotiations are not allocated to specified individual issues, but included in the "General Issues" (A) category, per CPUC Rule 12 governing the confidentiality of settlement negotiations.</p> <p>A – 68% B - 6% C - 6% D - 14% E – 6% F – 1%</p>	Verified

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
M. Baumhefner Attorney	2013	37.25	\$225	D.15-09-020	\$8,381.25	37.25	\$225	\$8,381.25
M. Baumhefner Attorney	2014	78.00	\$225	D.15-09-020	\$17,550.00	78	\$225	\$17,550.00
M. Baumhefner Attorney	2015	154.0	\$235	D.15-09-020	\$36,190.00	154	\$235	\$36,190.00
M. Baumhefner Attorney	2016	17.75	\$240	D.15-09-020 and Resolution ALJ-329	\$4,260.00	17.75	\$240	\$4,260.00
Subtotal: \$66,381						Subtotal: \$66,381.25		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
M. Baumhefner Attorney	2016	4	\$120	Half of 2016 Rate	\$480	4	\$120	\$480
Subtotal: \$480						Subtotal: \$480		
TOTAL REQUEST: \$66,861						TOTAL AWARD: \$66,861.25		
<p>*We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer’s normal hourly rate</p>								

ATTORNEY INFORMATION			
Attorney	Date Admitted to CA BAR ¹	Member Number	Actions Affecting Eligibility (Yes/No?)
Max Baumhefner	July, 2010	270816	no

C. CPUC Disallowances and Adjustments:

Item	Reason
A	The Payers of A. 14-04-014 and R. 13-11-007 are different. Award hours attributable to R. 13-11-007 are to be compensated by Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas and Electric Company. This amounts to 37.25 hours in 2013, 20.5 hours in 2014, and 22 hours in 2015. The total amount payable by these three utilities combined is \$18,163.75. The remaining hours, attributable to A. 14-04-014, are to be compensated by San Diego Gas and Electric Company alone. The total amount payable by San Diego Gas & Electric Company is \$48,697.50.

PART IV: OPPOSITIONS AND COMMENTS

A. Opposition: Did any party oppose the Claim?	No
B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	Yes

FINDINGS OF FACT

1. NRDC has made a substantial contribution to D.14-12-079 and D.16-01-045.
2. The requested hourly rates for NRDC's representative are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$66,861.25.

¹ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Rulemaking 13-11-007 and Application 14-04-014 are consolidated for the limited purpose of addressing Natural Resources Defense Council's intervenor compensation requests on the same issue in both of these proceedings. No other filings will be accepted as a consolidated proceeding, except for rehearing applications or petitions for modification of this decision.
2. Natural Resources Defense Council shall be awarded \$66,861.25.
3. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company shall pay Natural Resources Defense Council \$48,697.50, the total portion of the total award allocated to Application 14-04-014. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning April 12, 2017, the 75th day after the filing of Natural Resources Defense Council's request, and continuing until full payment is made.
4. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E) shall pay Natural Resources Defense Council \$18,163.75, the portion of the total award allocated to Rulemaking 13-11-007. PG&E, SCE, and SDG&E shall pay their respective shares of the award, based on their California-jurisdictional gas and electric revenues for the 2015 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning April 12, 2017, the 75th day after the filing of Natural Resources Defense Council's request, and continuing until full payment is made.
5. The comment period for today's decision is waived.
6. Application 14-04-014 is closed, and Rulemaking 13-11-007 remains open.
7. This decision is effective today.

Dated _____, at Santa Rosa, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1412079; D1601045		
Proceeding(s):	A1404014; R1311007		
Author:	ALJ Wong		
Payer(s):	Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas and Electric Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Natural Resources Defense Council	01/27/2017	\$66,861.00	\$66,861.25	N/A	N/A

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Max	Baumhefner	Attorney	NRDC	\$225	2013	\$225
Max	Baumhefner	Attorney	NRDC	\$225	2014	\$225
Max	Baumhefner	Attorney	NRDC	\$235	2015	\$235
Max	Baumhefner	Attorney	NRDC	\$240	2016	\$240

(END OF APPENDIX)